

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

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CIVIL MINUTES - GENERAL

Case No.	CV 12-4560 CAS (JCx)	Date	September 17, 2013
Title	REYNALDO HERNANDEZ V. RODOLFO AVILA SANDOVAL, ET AL.		

Present: The Honorable		CHRISTINA A. SNYDER	
M. SALCIDO for C. JEANG		N/A	N/A
Deputy Clerk		Court Reporter / Recorder	Tape No.
Attorneys Present for Plaintiffs:		Attorneys Present for Defendants:	
Not Present		Not Present	
Proceedings:	(In Chambers:) MOTION TO WITHDRAW AS COUNSEL (Docket #46, filed August 29, 2013)		

The Court finds this motion appropriate for decision without oral argument. Fed. R. Civ. P. 78; Local Rule 7-15. Accordingly, the hearing date of September 23, 2013, is vacated, and the matter is hereby taken under submission.

On August 29, 2013, Chris Papageorge filed the instant motion to withdraw as counsel for plaintiff Reynaldo Hernandez. Dkt. #46. On September 9, 2013, defendants Los Altos Boots, Inc. and Rodolfo Avila Sandoval filed a notice of non-opposition to plaintiff's counsel's motion. Dkt. #48.

Plaintiff's counsel argues that plaintiff has failed to cooperate with him, and has failed to pay attorney's fees. Mot. Withdraw Counsel 2. Local Rule 83-2.9.2.1 allows an attorney to withdraw as counsel only upon leave of court. If withdrawal will cause delay in the case, the court will not allow the attorney to withdraw unless "good cause is shown and the ends of justice require [such relief]." L. R. 83-2.9.2.4. Failure to pay attorneys' fees is normally sufficient grounds for withdrawal. Darby v. City of Torrance, 810 F. Supp. 275, 276 (C.D. Cal. 1992) (citing Liberty-Ellis Island Found., Inc. v. Int'l United Indus., Inc., 110 F.R.D. 395, 397 (S.D.N.Y. 1986)). If withdrawal is allowed, the affected parties then "shall appear pro se or appoint another attorney by a written substitution of attorney." L.R. 83-2.9.2.3.

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Based on plaintiff's failure to cooperate and pay attorney's fees, the Court concludes that counsel has made a sufficient showing of good cause, and thus hereby GRANTS plaintiff's counsel's motion to be relieved as counsel. Counsel is hereby ordered to provide plaintiff with notice of the Court's order in accordance with Local Rule 83-2.9.2.3.

IT IS SO ORDERED.

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Initials of Preparer	MS		